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IECB972696 – EMERY CELLI BRINCKERHOFF & ABADY LLP

UNITED STATES SOUTHERN DIST. COURT - NEW YORK COUNTY

WILLIAM DIAZ ET ANO. PLAINTIFF

- vs. -

CITY OF NEW YORK ET AL, DEFENDANT

Index No: 08 CV 4391

Date Filed: / / Office No: Court Date:

STATE OF NEW YORK COUNTY OF NEW YORK :SS:

IAN ELLISON being duly sworn, deposes and says;

I AM OVER THE AGE OF 18 YEARS AND RESIDE IN THE STATE OF NEW YORK.

Deponent served the SUMMONS AND COMPLAINT JUDGES INDIVIDUALS PRACTICES ECF INSTRUCTIONS. PROCEDURES & GUIDELINES upon the DEFENDANT OFFICER SHAWN CORT, SHIELD #15418 on 05/15/2008 at 03:35PM at 43-83 HAZEN STREET % Emergency Service Unit Rikers Island, ELMHURST, NY 11370 actual place of business of the DEFENDANT by delivering thereat a true copy to CAPT. "JOHN" NELSON, CO-WORKER OF THE DEFENDANT, a person of suitable age and discretion whose approximate description is as follows:

SEX: MALE

COLOR: BROWN

HAIR: BALD

APP. AGE: 44

APP. HT: 5'11

APP. WT: 210

OTHER IDENTIFYING FEATURES:

Deponent also mailed a copy of same in an official depository under the exclusive care and custody of the United States Post Office Department within New York State on 05/19/2008 by first class mail to:

OFFICER SHAWN CORT, SHIELD #15418 43-83 HAZEN STREET % Emergency Service Unit Rikers Island, ELMHURST, NY 11370

That address being actual place of business of the DEFENDANT, in an envelope bearing the legend "PERSONAL AND

CONFIDENTIAL", and not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person served.

Sworn to before the on 05/19/2008.

HARVEY THAT BER

Notary Public, State of New York

No. 01TA4667012

Qualified in BRONX Commission Expires 12/31/2010 IAN ELLISON - 1278415

AAA ATTORNEY SERVICE CO. OF NY, INC.

20 VESEY ST., ROOM 1110 NEW YORK, NY 10007

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